

House Watch

A summary of today's House actions;
published daily when the House is in session.



5/15/08

MESSAGES FROM THE SENATE

[HB 4184](#)

(Condino)

Under the Corrections Code, a prisoner sentenced to an indeterminate term of imprisonment under the jurisdiction of the Department of Corrections must be considered by the Department for placement in a boot camp established under the Special Alternative Incarceration Act, if the prisoner meets the Code's eligibility requirements. These include a requirement that the prisoner has never previously been placed in a boot camp as either a prisoner or a probationer, unless he or she was removed from a boot camp for medical reasons. The bill would delete that requirement. Also, the Code allows a prisoner to be placed in a boot camp only if the prisoner is serving his or her first prison sentence. Under the bill, a prisoner who was serving his or her first or second prison sentence could be placed in a boot camp.

- The House nonconcurred in the Senate substitute S-1 [RC 402: 2 yes, 106 no]

FINAL PASSAGE

[HB 4532](#)

(Gonzales)

House Bill 4532 (H-1)—to be known as the "Employee Privacy Protection Act"—would prohibit an employer from taking certain adverse actions against an individual who is engaging in—or is regarded as engaging in—a lawful activity both (1) off the employer's premises and (2) during non-work hours.

- Walker-1 not supported
- Miller-2 not supported
- Miller-3 adopted
- Hoogendyke-4 not supported
- Stahl-5 not supported

- Agema-6 not supported
- Palmer-7 not supported
- HB 4532 was passed [RC 392: 63 yes, 45 no]
- IE was not ordered [RC 393: 58 yes, 48 no]

HB 4887

(Miller)

House Bill 4887 (H-1) would create the Job Applicant Credit Privacy Act. Under the act, an employer could not (1) fail or refuse to hire an individual because of that individual's credit history; or (2) inquire about a job applicant's or potential job applicant's credit history.

- Amendments adopted
- HB 4887 was passed [RC 394: 57 yes, 51 no]

HB 4926

(Hopgood)

House Bill 4926 would create a new act, generally, to prohibit an employer from discriminating against an employee or prospective employee based on body type, degree of physical fitness, or other physical characteristics. The act would be known as the Respect for Physical Differences Act.

- HB 4926 was passed [RC 395: 57 yes, 51 no]

HB 4927

(Kathleen Law)

House Bill 4927 would create a new act, generally, to prohibit an employer from discriminating against an employee based on a known or believed illness or health condition of a member of the employee's family. The act would be known as the Employee Family Health Privacy Act.

- HB 4927 was passed [RC 396: 58 yes, 50 no]

HB 5829

(Johnson)

The legislation (HB 5829 to HB 5831, HB 6015) would close loopholes that treat "pipeline offenders" differently from others convicted for controlled substances violations, apply current penalties to attempting to commit a violation, allow life probation for low-level drug offenses to continue for persons convicted prior to 2002 revisions, and repeal a provision in the health code mandating enhanced penalties for certain controlled substances violations.

- HB 5829 was passed [RC 397: 92 yes, 16 no]
- IE was ordered

HB 5830**(Meadows)**

House Bill 5830 would amend the Public Health Code (MCL 333.7401 and 333.7403) to repeal Section 333.7413. The bill would also revise two provisions regarding lifetime probation to specify that the provisions would pertain to an individual sentenced to lifetime probation under Section 7401(2)(a)(iv)—manufacture, delivery, or possession with intent to deliver—or Section 7403(2)(a)(iv)—possession—as those sections existed before March 1, 2003. Both provisions pertain to violations involving a Schedule 1 or 2 narcotics or cocaine in an amount less than 50 grams.

- HB 5830 was passed [RC 398: 81 yes, 27 no]
- IE was ordered

HB 5831**(Rick Jones)**

House Bill 5831 would amend the Code of Criminal Procedure (MCL 771.2). Public Act 666 of 2002 deleted Section 1(4) of Chapter XI, which allowed for life probation for offenses involving less than 50 grams of a Schedule 1 or 2 narcotic or cocaine. However, the act specified in Section 2(3) that a defendant who had been placed on life probation under Section 1(4) prior to the act's effective date (March 1, 2003) would still be subject to the conditions of probation specified in the code. The bill would clarify that Section 2(3) applies to a defendant placed on life probation under Section 1(4) as it existed before March 1, 2003 for an offense committed before March 1, 2003.

- HB 5831 was passed [RC 399: 88 yes, 20 no]
- IE was ordered

HB 6015**(Stakoe)**

Under provisions of the Code of Criminal Procedure, enhanced sentences can be given if an offender commits subsequent felony offenses. Currently, a subsequent conviction of a major controlled substance offense (offenses involving the manufacturer, delivery, and possession of Schedule 1 and 2 narcotics and cocaine) is not subject to the enhanced penalties; instead, they are punished as provided under provisions of the Public Health Code. House Bill 6015 would amend the Code of Criminal Procedure (MCL 769.10 et al.) to remove references to subsequent felonies involving a major controlled substance offense. The bill would also exempt various drug-related offenses from a provision pertaining to parole eligibility; for those offenses, parole eligibility would be determined under provisions of the Correction Code.

- HB 6015 was passed [RC 400: 104 yes, 4 no]
- IE was ordered

HB 4569**(Hammon)**

House Bill 4569 would amend the Public Health Code to make it unlawful to sell, give away, use, or prescribe any product used for the treatment of lice or scabies in human beings that

contains the pesticide chemical lindane. If, however, a person's doctor considered it necessary, a lindane product could be lawfully obtained by the physician and a treatment given to a patient in the physician's office under the doctor's supervision.

- HB 4569 advanced to 3rd Reading
- HB 4569 was passed [RC 401: 72 yes, 35 no]
- IE was ordered

MOTIONS AND RESOLUTIONS

HR 294

(Kathleen Law)

A resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

- Substitute H-1 not adopted
- Substitute H-2 adopted
- HR 294 adopted

HCR 76

(Warren)

A concurrent resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

- Substitute H-1 not adopted
- Substitute H-2 adopted
- HCR 76 was adopted

HCR 80

(Byrnes)

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Washtenaw Community College relative to the Washtenaw Community College Technical and Industrial Building Renovations Project.

- HCR 80 was adopted [RC 403: 76 yes, 30 no]

HCR 81

(Bauer)

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group F VanWagoner Building (the "Facility").

- HCR 81 was adopted [RC 404: 72 yes, 35 no]

HCR 82

(Hood)

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group G Special Maintenance Projects (the "Facility").

- HCR 82 was adopted [RC 405: 70 yes, 37 no]